

121 identifying information regarding the individual tested and the results of the test as they relate  
 122 to that individual, except as specifically authorized by this chapter.

123 ~~[(12)]~~ (13) (a) Except as provided in Subsection ~~[(12)]~~ (13)(b), the petitioner shall  
 124 remit payment for the drawing of the blood specimen and the analysis of the specimen for the  
 125 mandatory disease testing to the entity that draws the blood.

126 (b) If the petitioner is an emergency ~~[medical]~~ services provider, the agency ~~[which]~~  
 127 that employs the emergency ~~[medical]~~ services provider shall remit payment for the drawing of  
 128 the blood specimen and the analysis of the specimen for the mandatory disease testing to the  
 129 entity that draws the blood.

130 ~~[(13)]~~ (14) The entity that draws the blood shall cause the blood and the payment for  
 131 the analysis of the specimen to be delivered to the Department of Health for analysis.

132 ~~[(14)]~~ (15) If the individual is incarcerated, the incarcerating authority shall either draw  
 133 the blood specimen or shall pay the expenses of having the individual's blood drawn.

134 ~~Ĥ→ [(16) The results of testing performed under this section are not admissible in any civil~~  
 135 ~~or criminal proceeding.] ←Ĥ~~

136 Section 3. Section **78B-8-404** is amended to read:

137 **78B-8-404. Department authority -- Rules.**

138 The Labor Commission, in consultation with the Department of Health, has authority to  
 139 establish rules necessary for the purposes of Subsections 78B-8-401(2) and ~~[(6)]~~ (7).

**Legislative Review Note**  
 as of 1-21-13 5:33 PM

**Office of Legislative Research and General Counsel**